

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

JOSEPH HARDESTY, ET AL.,
Individually and on behalf of All
Others Similarly Situated

Plaintiffs,

v.

THE KROGER CO., et al.

Defendants.

: Case No. 1:16-CV-00298
:
: Judge Timothy Black
:
:
: **PLAINTIFF’S MOTION TO EXTEND**
: **CONDITIONAL PERIOD FOR**
: **SEALING DOCUMENTS**
:
:
:

Pursuant to the Court’s Order Conditionally Granting Plaintiffs’ Unopposed Motion to File Under Seal (Doc. 77), Plaintiffs Joseph Hardesty, Derek Chipman, Madeline Hickey, and the FLSA Collective Members they represent (collectively, “Plaintiffs”) respectfully request that the Court extend the conditional period for sealing the documents referenced in Plaintiffs’ Supplemental Motion to File Under Seal (Doc. 82). As grounds for this motion, Plaintiffs state that a motion has been filed to keep certain documents under seal during the course of this litigation. Plaintiffs request that the Court extend its conditional order sealing these documents until it has the opportunity to rule on the pending motion.

Respectfully submitted,

/s/ Joshua M. Smith

Peter A. Saba (0055535)
Joshua M. Smith (0092360)
Sharon Sobers (0030428)
Jeffrey M. Nye (0082247)
STAGNARO, SABA
& PATTERSON CO., L.P.A.
2623 Erie Avenue
Cincinnati, Ohio 45208
(513) 533-2701
(513) 533-2711 (fax)
pas@sspfirm.com
Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

The undersigned does hereby certify that a true and accurate copy of the foregoing was served electronically through the District Court's electronic case filing system upon David K. Montgomery, Esq. and Ryan M. Martin, Esq., Jackson Lewis P.C., PNC Center, 26th Floor, 201 East Fifth Street, Cincinnati, Ohio 45202, this 22nd day of March, 2019.

/s/ Joshua M. Smith
Joshua M. Smith (0092360)